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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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MAHAMED A JAMA,

                Plaintiff,

   v.

CHASE ERIN AND MANAGER,

                Defendant.

CASE NO. C16-1785-RSL

ORDER DENYING MOTION TO APPOINT COUNSEL WITHOUT PREJUDICE

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      Mahamed A Jama, proceeding *pro se* and *in forma pauperis*, has filed a motion for appointment of counsel. Dkt. 11. The motion has been referred to the undersigned United States Magistrate Judge. Dkt. 12. For the following reasons, the Court **DENIES** the motion **without prejudice**.

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      There is no right to have counsel appointed in civil cases. The Court may appoint counsel for indigent civil litigants under 28 U.S.C. § 1915(e)(1), but should do so only under "exceptional circumstances." *Agyeman v. Corrections Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). A finding of exceptional circumstances requires an evaluation of both the likelihood of success on the merits and the ability of the plaintiff to articulate his claims *pro se* in light of the complexity of the legal issues involved. *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). At this early point, Mr. Jama's complaint presents insufficient evidence indicating that

ORDER DENYING MOTION TO APPOINT
COUNSEL WITHOUT PREJUDICE - 1

1   there is a likelihood of success on the merits. Additionally, Mr. Jama's motion suggests he has

2   made no effort to retain counsel beyond his application before the Court. Dkt. 11. Mr. Jama has

3   therefore not presented exceptional circumstances that would justify the appointment of counsel

4   at this time. Accordingly, Mr. Jama's motion to appoint counsel is **DENIED without prejudice**.

5   Mr. Jama may renew his application in the future if exceptional circumstances arise. Any

6   renewal should include a complete application for court-appointed counsel.

7   The Clerk is directed to send copies of this Order to plaintiff and to the Honorable Robert

8   S. Lasnik.

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10   DATED this 23rd day of February, 2017.

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                                                             BRIAN A. TSUCHIDA
13   United States Magistrate Judge

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ORDER DENYING MOTION TO APPOINT
COUNSEL WITHOUT PREJUDICE - 2